

# Senate Study Bill 3067

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
CULTURAL AFFAIRS BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to cultural affairs by providing for the  
2 preservation of electronic records, establishing regional  
3 cultural committees, and creating a civil war sesquicentennial  
4 advisory committee.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 5308DP 82  
7 tw/rj/8

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1 1 DIVISION I  
1 2 ONLINE RESEARCH CENTER  
1 3 Section 1. Section 303.2, subsection 2, Code 2007, is  
1 4 amended by adding the following new paragraph:  
1 5 NEW PARAGRAPH. 1. Establish, maintain, and administer a  
1 6 digital collection of historical manuscripts, documents,  
1 7 records, reports, images, and artifacts and make the  
1 8 collection available to the public through an online research  
1 9 center.

1 10 DIVISION II  
1 11 CULTURE, HISTORY, ARTS, AND TOURISM PROGRAM  
1 12 Sec. 2. NEW SECTION. 303.3E CULTURE, HISTORY, ARTS, AND  
1 13 TOURISM PROGRAM.  
1 14 1. The department of cultural affairs shall establish and  
1 15 administer a statewide program facilitating the promotion of  
1 16 culture, history, arts, and tourism in Iowa. The program's  
1 17 purpose shall be to encourage cooperation and collaboration  
1 18 among the various state and local organizations working in  
1 19 these areas to improve Iowa's quality of life.  
1 20 2. The department shall implement the program by working  
1 21 with the local organizations to establish committees in  
1 22 various regions of the state. Each committee shall:  
1 23 a. Include representatives from local organizations  
1 24 dedicated to promoting culture, history, arts, and tourism  
1 25 within the regions.  
1 26 b. Gather and disseminate information on the cultural,  
1 27 historical, arts, and tourism opportunities in the regions.  
1 28 c. Enhance communication among the local organizations in  
1 29 each region.  
1 30 d. Assist the staff members of local organizations in  
1 31 obtaining technical and professional training.  
1 32 3. The department shall assist local organizations in the  
1 33 delivery of technical services, professional training, and  
1 34 programming opportunities by working with these committees.

1 35 DIVISION III  
2 1 CIVIL WAR SESQUICENTENNIAL ADVISORY COMMITTEE  
2 2 Sec. 3. NEW SECTION. 303.19 AMERICAN CIVIL WAR  
2 3 SESQUICENTENNIAL ADVISORY COMMITTEE.  
2 4 1. ESTABLISHMENT AND PURPOSE. A civil war  
2 5 sesquicentennial advisory committee is established within the  
2 6 historical division of the department of cultural affairs for  
2 7 the purpose of advising and assisting the division in its  
2 8 efforts to commemorate the sesquicentennial of Iowa's  
2 9 involvement in the American civil war.  
2 10 2. MEMBERSHIP AND QUALIFICATIONS. The committee shall  
2 11 consist of twenty members appointed by the administrator of  
2 12 the historical division. Each member shall be from an  
2 13 academic institution, a museum, or a civic organization or  
2 14 otherwise be someone with an interest in the preservation of  
2 15 Iowa's civil war heritage.  
2 16 3. EXPENSES AND REIMBURSEMENT. The members of the  
2 17 committee are not entitled to receive per diem compensation

2 18 but are entitled to receive reimbursement for actual expenses  
2 19 incurred while engaged in the performance of official duties.  
2 20 4. DUTIES AND AUTHORITY. The committee shall, for the  
2 21 period beginning in 2010 and ending in 2016, advise and assist  
2 22 the historical division as it plans, coordinates, and  
2 23 implements activities and programs relating to the  
2 24 commemoration of the sesquicentennial of Iowa's involvement in  
2 25 the American civil war.

2 26 a. The activities and programs of the division may include  
2 27 but are not limited to creating interpretive and educational  
2 28 materials such as exhibitions, literature and films, planning  
2 29 and promoting special events, designing logos and advertising  
2 30 campaigns, and producing commemorative items and memorabilia.  
2 31 The division shall have the authority to sell or offer for  
2 32 sale any of the materials, or other goods or services produced  
2 33 pursuant to this section, notwithstanding section 23A.2.

2 34 b. The division may hold copyrights or trademarks in the  
2 35 materials created during the commemoration, including but not  
3 1 limited to the interpretive materials and memorabilia it  
3 2 designs and produces. In addition, the division, at its  
3 3 discretion, may license the rights to the materials. For the  
3 4 purposes of this section, section 22.2 shall not be  
3 5 interpreted to prevent the division's exclusive ability to  
3 6 license the use, reproduction, or dissemination of the  
3 7 materials produced for the commemoration.

3 8 c. The division may adopt, in consultation with the  
3 9 committee and pursuant to chapter 17A, any rules necessary for  
3 10 the licensing of materials created during the commemoration.

3 11 5. DISSOLUTION. The committee shall complete its duties  
3 12 no later than June 30, 2017, but may complete its duties and  
3 13 dissolve itself prior to that date.

3 14 6. REPEAL. This section is repealed June 30, 2017.

#### 3 15 DIVISION IV

#### 3 16 ELECTRONIC RECORDS ARCHIVE

3 17 Sec. 4. Section 305.9, subsection 1, Code 2007, is amended  
3 18 by adding the following new paragraph:

3 19 NEW PARAGRAPH. m. Establish, maintain, and administer an  
3 20 archive of records created and maintained in electronic format  
3 21 in order to preserve and provide public access to state  
3 22 government records identified as having permanent historical  
3 23 value by the commission.

#### 3 24 EXPLANATION

3 25 This bill relates to the duties of the department of  
3 26 cultural affairs.

3 27 The bill requires the historical division of the department  
3 28 to create a digital collection of records for research  
3 29 purposes and to make the collection available to the public.

3 30 The bill requires the department to establish a statewide  
3 31 culture, history, arts, and tourism program, and to implement  
3 32 the program by creating regional committees for the  
3 33 coordination of cultural efforts.

3 34 The bill establishes a civil war advisory committee to help  
3 35 the historical division of the department of cultural affairs  
4 1 plan a sesquicentennial commemoration of Iowa's role in the  
4 2 American civil war. The bill authorizes the division and the  
4 3 committee to plan the commemoration and the division to  
4 4 produce materials and memorabilia for licensed use or sale.

4 5 The bill requires the department to establish and maintain  
4 6 an archive of records created electronically and having  
4 7 historical value, and to make the archive available to the  
4 8 public.

4 9 The bill may authorize a department of state government to  
4 10 offer products or services in competition with private  
4 11 enterprise as prohibited by Code section 23A.2. However, the  
4 12 bill specifically authorizes the offering of goods and  
4 13 services to the public in connection with the commemoration of  
4 14 Iowa's role in the American civil war.

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4 16 tw/rj/8.1